

REMARKS

By the present amendment, claims 4 and 7 have been amended to replace “the” by “a” before terms in order to properly introduce these terms with respect to antecedent basis.

Further, claims 14 and 19-20 have been amended to replace “mean variation (L’) per unit time” and “mean variation (L’)” by “moving average (L’)” for consistent terminology with the other claims.

Claims 1-16 and 19-20 are pending in the present application. Claim 1 is the only independent claim.

In the Office Action, claims 4, 7, 14, and 19-20 are rejected under 35 U.S.C. 112, second paragraph, as indefinite.

The rejected claims have been amended as set forth above to address the rejection. Accordingly, it is submitted that the rejection should be withdrawn.

Conclusion

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

Amendment
U.S. Appl. No. **10/538,172**
Attorney Docket No. **PSA0301273**

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 502759.

Respectfully submitted,

/nicolas seckel/

Nicolas E. Seckel
Attorney for Applicants
Reg. No. 44,373

Nicolas E. Seckel
Patent Attorney
1250 Connecticut Avenue NW Suite 700
Washington, DC 20036
Tel: (202) 669-5169
Fax: (202) 822-1257
Customer No.: 29980
NES/rep